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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 21-CR-274 CRB
)	
Plaintiff,)	
)	AMENDED PETITION FOR WRIT OF HABEAS
v.)	CORPUS AD PROSEQUENDUM
)	
IAN BENJAMIN ROGERS,)	
)	
Defendant.)	
)	

TO: The Honorable JOSEPH C. SPERO, United States Magistrate Judge for the Northern District of California

Assistant United States Attorney Frank Riebli respectfully requests that the Court issue a Writ of Habeas Corpus Ad Prosequendum for the person of prisoner IAN BENJAMIN ROGERS, whose place of custody or jailor are set forth in the requested Writ, attached hereto. On January 26, 2021, the Court issued a complaint, in 3-21-MJ-70157 MAG charging ROGERS with violations of 26 U.S.C. §§ 5861(d) and 5845. ROGERS was in state custody at the time, facing state weapons charges. Accordingly, on February 18, 2021, the government obtained a writ to secure ROGERS's appearance on the federal

1 charge, but the writ authorized a remote appearance. Thus, ROGERS remained in state custody and
2 made his initial appearance on the federal charge on February 23, 2021 by Zoom. On July 7, 2021, the
3 grand jury indicted ROGERS for violations of 18 U.S.C. §§ 844(i) and (n), 26 U.S.C. §§ 5861(d) and
4 5845, and 18 U.S.C. § 922(o) (three counts), in case number 21-CR-274 CRB. ROGERS appeared by
5 Zoom and been arraigned on the Indictment. His next appearance before the District Court is February
6 2, 2022. In order to facilitate the orderly prosecution of the case and trial setting and preparation, the
7 government now seeks the physical transfer of ROGERS into federal custody by January 7, 2022.

8 The government has consulted with the Napa County District Attorney's Office and that office
9 consents to ROGERS's transfer to federal custody by this writ.

10 The prisoner, IAN BENJAMIN ROGERS, is required to appear as a defendant in the above-
11 entitled matter in this Court on the date identified in the writ and for all future hearings, and therefore
12 petitioner prays that the Court issue the Writ as presented.

13
14 Dated: December 13, 2021

Respectfully Submitted,

15 STEPHANIE M. HINDS
16 Acting United States Attorney

17 /s/
18 Frank Riebli
19 Assistant United States Attorney
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 21-CR-274 CRB
)	
Plaintiff,)	
)	
v.)	[PROPOSED] ORDER GRANTING AMENDED
)	PETITION FOR WRIT OF HABEAS CORPUS AD
IAN BENJAMIN ROGERS,)	PROSEQUENDUM
)	
Defendant.)	
)	

Upon motion of the United States of America, and good cause appearing therefore,
IT IS HEREBY ORDERED that the request of the United States for issuance of the Writ of Habeas
Corpus Ad Prosequendum requiring the production of defendant IAN BENJAMIN ROGERS, before
this Court on the date stated in the Writ submitted, or as soon thereafter as practicable, and requiring that
the defendant be present for all future hearings, is GRANTED and the Writ shall be issued as presented.

DATED: _____

HON. JOSEPH C. SPERO
United States Magistrate Judge

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: **DONALD M. O'KEEFE, United States Marshal for the Northern District of California or
and DINA JOSE, Napa County Director of Corrections** and /or any of their authorized
deputies:

Pursuant to the foregoing petition and order, you are directed to produce the body of IAN
BENJAMIN ROGERS (DOB 3/16/1976) who is in the custody of Napa County Department of
Corrections, at 1125 Third Street in Napa, California 94559, before the Honorable Sallie Kim, United
States Magistrate Judge for the Northern District of California, San Francisco, to be held via Zoom
<https://cand-uscourts.zoomgov.com/j/1606612971?pwd=U0o4Z3FmSU4zcmE1MjMzMjN5dllEdz09> on
January 7, 2022, at 12:00 p.m., or as soon thereafter as practicable, on the charges filed against
defendant in the above-entitled Court and further to produce said defendant at all future hearings as
necessary until the termination of the proceedings in this Court.

Should the current custodian release IAN BENJAMIN ROGERS from its custody, you are
directed that the defendant immediately be delivered and remanded to the U.S. Marshals for the
Northern District of California and/or his authorized deputies under this Writ.

DATED: _____

CLERK, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

By: _____
DEPUTY CLERK